

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 05-104-JJF
	:	
	:	
LEONARD GARNER,	:	
	:	
Defendant.	:	

MOTION TO EXTEND TIME TO FILE PRETRIAL MOTIONS

Defendant, Leonard Garner, by and through his undersigned counsel, Eleni Kousoulis, hereby moves the Court pursuant to Federal Rule of Criminal Procedure 45(b) and Local Rule 5(a) for an order enlarging the time within which pretrial motions may be filed. In support of this motion the Defendant submits as follows:

1. Pre-trial motions for this case are due by January 27, 2006.
2. Late in the afternoon of January 25, 2006, the government provided defense counsel with a statement allegedly made by Mr. Garner at the time of his arrest in this case.
3. Defense counsel requires additional time to review this statement, as well as the other evidence in this case, with Mr. Garner before it can be determined which, if any, pretrial motions need to be filed.
4. In order to allow defense counsel adequate time to review this statement and the case in general with Mr. Garner, an extension of time in which to file any pre-trial motions is requested.

5. Beth Moskow-Schnoll, Esquire, the attorney handling the case for the government, does not object to the enlargement of time.

6. The parties have agreed that any additional time given in which to file pretrial motions will be excludable under the Speedy Trial Act.

WHEREFORE, it is respectfully requested that the time for Defendant to file pretrial motions be extended to anytime after March 1, 2006.

Respectfully Submitted,

/s/

Eleni Kousoulis, Esquire
Assistant Federal Public Defender
First Federal Plaza
704 King Street, Suite 110
Wilmington, Delaware 19801
Attorney for Defendant Leonard Garner

Dated: January 27, 2006

CERTIFICATE OF SERVICE

The undersigned attorney for defendant Leonard Garner hereby certifies that a copy of Defendant's Motion for Extension of Time to File Pretrial Motions is available for public viewing and downloading and was electronically delivered on January 27, 2006, to:

Beth Moskow-Schnoll, Esquire
Assistant U.S. Attorney
United States Attorney's Office
1007 Orange Street, Suite 700
Wilmington, DE 19801

/s/

Eleni Kousoulis, Esquire
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